

Privacy & Confidentiality Policy

Version 4

Document Number:

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1. Purpose and Scope

Arche Health is committed to protecting the privacy and confidentiality of staff, board, clients and third parties. This policy provides an outline of Arche Health's legal obligations and ethical expectations in relation to privacyⁱ and confidentiality and applies to the whole organisation including headspace Armadale, Belvidere Health Centre - Belmont, Armadale GP After-Hours and Armadale Antenatal Services.

2. Policy Implementation

The policy is part of the staff orientation process and all staff are responsible for understanding and adhering to this policy.

This policy is reviewed in line with the programs quality improvement framework and relevant legislative changes. The CEO is responsible for its implementation.

3. Principles

Arche Health is committed to ensuring that information is used in an ethical and responsible manner. We recognise the need to be consistent, cautious and thorough in the way that information about clients is recorded, stored and managed.

All clients have legislated rights to privacy of personal information. In circumstances where the right to privacy may be overridden by other considerations (for example, child protection concerns), staff act in accordance with the relevant policy or legal framework, or both.

4. Risk Management

The organisation ensures mechanisms are in place to demonstrate that decisions and actions relating to privacy and confidentiality comply with relevant federal and state laws.

All staff are provided with ongoing support and information to assist them to establish and maintain privacy and confidentiality.

5. Policy Detail

5.1 Data Collection

Arche Health uses personal information for the purpose for which permission was given, or for purposes that are directly related the services provided. Personal information may be provided to government agencies, other organisations or individuals if:

- The client has consented
- It is required or authorised by law
- It will prevent or lessen a serious and imminent threat to someone's life or health

5.2 Anonymity and Identifiers

Referrers will initially send client details to the program. Once received, a de-identification number is recorded against each client and a copy of the referral form is uploaded and attached to the client's electronic file. Seven years after the final consultation date all patient records are destroyed except in the following instances:

- a) where health information is collected from children under 18, such information must be retained until they reach 25 years of age, or for seven years after their last health service, whichever is the later.

- b) Health records pertaining to Aboriginal clients/patients born prior to and including 1970, be retained indefinitely.

5.3 Individuals who will have access to client information

The following individuals will have access to patient information:

- Referring Practitioner
- Arche Health staff (including headspace Armadale and Belvidere Health Centre)
- Authorised or required by law (i.e. ATO, Centrelink, and Child Support Agency etc.)

5.4 Evaluations

On completion of clients' sessions, they may be asked to fill in a short survey. This survey is part of program or centre's evaluation of the service provided. This survey assists continual quality improvement (CQI). The client remains de-identified.

5.5 Access and Correction

Individuals may request access to their own personal information. Access will be provided unless there is a sound reason under the Privacy Act 1988 or other relevant law to withhold access. Other situations in which access to information may be withheld include when:

- There is a threat to the life or health of an individual
- Access to information creates an unreasonable impact on the privacy of others
- The request is clearly frivolous or vexatious or access to information has been granted previously
- There are existing or anticipated legal dispute resolution proceedings
- Denial of access is required by legislation or law enforcement agencies

Arche Health is required to respond to a request to access or amend information within 45 days of receiving the request.

Amendments may be made to personal information to ensure it is accurate, relevant, up-to-date, complete and not misleading, taking into account the purpose for which the information is collected and used. If the request to amend information does not meet these criteria, Arche Health may refuse the request.

If the requested changes to personal information are not made, the individual may make a statement about the requested changes and the statement will be attached to the record.

5.6 Disclosing Confidential Information

All staff, contractors and sub-contractors have an obligation of confidentiality towards the organisation. Any breach of confidentiality will be regarded a direct breach of their employment/service contracts.

Should there be any uncertainty as to a party's confidentiality obligations and what constitutes a breach, they should discuss this with their Manager or the HR Officer (Head Office)

5.7 Breach of Privacy or Confidentiality

Arche Health has existing obligations under Item 11 of the Australian Privacy Principle to secure personal information. The organisation therefore adheres to the mandatory disclosure laws introduced in February 2018 namely the Notifiable Data Breach Scheme (NDBS) that forms part of the Privacy Act which creates a requirement for organisations who discover a data breach that is likely to cause serious harm to either one or more clients/patients, to notify the OAIC and the affected individual(s).

PRIVACY & CONFIDENTIALITY POLICY



If a client or stakeholder is dissatisfied with the manner in which their privacy and confidentiality rights have been handled, the complaint can be made by calling/emailing the site in question:

Arche Health (08) 9458 0505

email: admin@archehealth.com.au

Headspace Armadale (08) 9393 0300

email: reception@headspacearmadale.com.au

Belvidere Health Centre (08) 6253 2100

email: feedback@archehealth.com.au

ⁱ The Privacy Act (1988), The Privacy Amendment(Enhancing Privacy Protection) Act 2012; the Privacy Regulation 2013; The Australian Privacy Principles contained in the Privacy Act 1988; the Privacy Amendment Notifiable Data Breaches Scheme, (NDBS) and the Freedom of Information Act 1992, were referenced in the compilation of this policy.